



Winget | Spadafora | Schwartzberg | LLP

NEW YORK:
45 Broadway
19th Floor
New York, NY 10006
T 212.221.6900
F 212.221.6989
Morais.M@wssllp.com

September 24, 2013

VIA ECF AND FACSIMILE (718) 613-2365

The Honorable Cheryl L. Pollak
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Matter: Faitak v. Avax, et al.
Index No.: 11CV6115 (NGG) (CLP)
Our File No.: 03016.12042

Dear Judge Pollak:

This office represents the Defendants, Metro Management Development, Inc. ("Metro") and 59-11 Queens Boulevard Owners, Inc. ("59-11"), in connection with the referenced matter. As the Court is aware, this matter is currently scheduled for a settlement conference for tomorrow, September 25, 2013, however, we write to request a short adjournment of the appearance tomorrow.

Specifically, we recently learned (this week) that there may be another insurance carrier that may be providing coverage for Metro and/or 59-11. As such, we request a short adjournment in which to resolve this issue. In addition, in light of the Plaintiff's current medical situation, we believe that a short adjournment would benefit all parties. In this regard, we have contacted the other parties regarding adjourning the settlement conference and have obtained consent.

Thank you for your anticipated courtesies. Please do not hesitate to contact the undersigned with any questions.

Very truly yours,

/s/ Melissa L. Morais

Melissa L. Morais

cc: Charles S. Korschun, Esq. (via ECF)
Henniger S. Bullock, Esq. (via ECF)
Marie Ann Hoenings, Esq. (via ECF)
Marian C. Rice, Esq. (via ECF)
Nicole Feder, Esq. (via ECF)
Douglas E. Rowe, Esq. (via ECF)
James A. Rose, Esq. (via ECF)
Sanjay V. Nair, Esq. (via ECF)

www.WSSLLP.com

NEW JERSEY:
2500 Plaza 5
Harborside Financial Center
Jersey City, NJ 07311
T 201.633.3630

CONNECTICUT:
177 Broad Street
5th Floor
Stamford, CT 06901
T 203.328.1200

FLORIDA:
20801 Biscayne Boulevard
4th Floor
Miami, FL 33180
T 786.923.5911

CALIFORNIA:
1900 Avenue of the Stars
Suite 450
Los Angeles, CA 90067
T 310.836.4800